United Nations A/60/417–S/2005/632

General Assembly
Security Council

Distr.: General
6 October 2005
English
Original: Spanish

General Assembly
Sixtieth session
Agenda item 74
Report of the International Court of Justice

Security Council
Sixtieth year

Note verbale dated 29 September 2005 from the Permanent Mission of Costa Rica to the United Nations addressed to the Secretary-General

The Permanent Mission of Costa Rica to the United Nations presents its compliments to the Secretary-General and has the honour to transmit herewith a statement of the Ministry of Foreign Affairs and Worship relating to the filing before the International Court of Justice by Costa Rica of a case against Nicaragua concerning navigational rights of Costa Rica on the San Juan River (see annex).

The Permanent Mission of Costa Rica should be grateful if the Secretary-General would arrange for the present note and its annex to be circulated as a document of the General Assembly, under agenda item 74, and of the Security Council.

05-53925 (E) 071005 101005

Annex to the note verbale dated 29 September 2005 from the Permanent Mission of Costa Rica to the United Nations addressed to the Secretary-General

Costa Rica brings before the International Court of Justice the case concerning its navigational rights on the San Juan River

San José, Costa Rica, 28 September 2005

The Government of Costa Rica announced today that in the next few hours it will bring the case concerning its navigational rights on the San Juan River under relevant legal instruments before the International Court of Justice at The Hague.

The announcement was made by Dr. Abel Pacheco de la Espriella, President of Costa Rica, and Roberto Tovar Faja, Minister for Foreign Affairs and Worship, at a press conference held at the presidential palace at 4 p.m. today, Wednesday, 28 September 2005.

The Minister for Foreign Affairs indicated that he had today instructed the Ambassador of Costa Rica, Edgar Ugalde, to file the case before the International Court of Justice at The Hague.

The Minister will so notify the Government of Nicaragua in the next few hours in a note to be submitted by Roberto Tovar Faja, Minister for Foreign Affairs of Costa Rica, to Norman Caldera, Minister for Foreign Affairs of Nicaragua.

The President of Costa Rica said that, despite the progress achieved as a result of the Agreement signed on 26 September 2002 by the Ministers for Foreign Affairs of Costa Rica and Nicaragua, the issue of Costa Rica's rights with respect to the San Juan River remain in dispute.

He recalled that the mediation and arbitration mechanisms proposed by Costa Rica were not accepted by Nicaragua. "Consequently, pursuant to the principle of peaceful coexistence between nations and in keeping with Costa Rica's traditional respect for international law, we have decided to bring the case before the International Court of Justice".

"It is our hope that on this momentous occasion, the country will come together as a nation", noted the President, adding that "Costa Rica's rights take precedence over any individual interests".

The Minister for Foreign Affairs stated that Costa Rica "comes before the highest international judicial body so as to resolve once and for all the only source of disagreement with Nicaragua".

He reiterated that Costa Rica "is seeking no more or no fewer rights than are provided for under relevant legal instruments".

He noted that "resorting to the International Court of Justice could never be construed as wrecking the friendship between the two peoples. Both Costa Rica and Nicaragua have accepted the Court as a means of ensuring peaceful coexistence and mutual respect between their people".

"We come to the Court with the sincere hope that its decision will serve to eliminate forever any cause for dispute."

"It is my hope that by embarking on this course, we will bequeath to future generations bonds of friendship that will be impervious to any crisis. Such is the responsibility that history thrusts upon us."